


AMENDMENT TRANSMITTAL LETTER
After Final Rejection

 Application No.
 10/642,522

 Filing Date
 August 15, 2003

 Examiner
 B. E. Pellegrino

 Group Art Unit
 3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

 Docket No.
 SPINE 3.0-437 CIP CIP

 Invention: ARTIFICIAL INTERVERTEBRAL DISC HAVING A CIRCUMFERENTIALLY BURIED WIRE
 MESH ENDPLATE ATTACHMENT DEVICE

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	40	- 43 =		x	
Independent Claims	4	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

 Large Entity

 Small Entity

 No additional fee is required for this amendment.

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 Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

 Dated: August 10, 2006

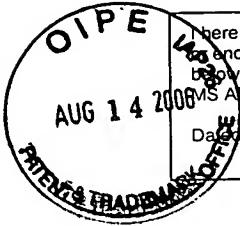
 Raymond Garguilo, Jr.
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CIP CIP CIP CIP CIP CIP CIP CONT V

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	:
Errico et al.	:
Application No.: 10/642,522	: Group Art Unit: 3738
Filed: August 15, 2003	: Examiner: B. E. : Pellegrino
For: ARTIFICIAL INTERVERTEBRAL DISC HAVING A CIRCUMFERENTIALLY BURIED WIRE MESHENDPLATE ATTACHMENT DEVICE	:

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated May 10, 2006, finally rejecting claims 1-43, please amend the above-identified U.S. patent application as follows:

A Request for Continued Examination is submitted herewith.